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C O N F I D E N T I A L RANGOON 000332

SIPDIS

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TAGS: [PGOV](#) [PHUM](#) [BM](#) [NLD](#)

SUBJECT: BURMA: TRIAL UNDERWAY FOR HKUN HTUN OO AND OTHER SHAN LEADERS

REF: A. RANGOON 201

[B.](#) RANGOON 185

Classified By: COM Carmen Martinez for Reasons 1.4 (b,d)

¶1. (SBU) Summary: A trial of leading pro-democracy ethnic leader Hkun Htun Oo, and three other members of the Shan Nationalities League for Democracy (SNLD), is underway. The GOB has rejected family-appointed lawyers and instead assigned government attorneys to defend them. Family members have appealed to the SPDC and to the ICRC for access to the detainees. On March 15, the GOB for the first time acknowledged the arrests and the trial, and revealed charges that allege the SNLD leaders were engaged in activities that "are very dangerous to the stability of the State." End Summary.

¶2. (U) On March 15, Minister of Information Brig. Gen. Kyaw Hsan called a press conference and, for the first time, commented on the February arrests of four leaders of the pro-democracy SNLD political party, including party chairman Hkun Htun Oo and secretary Sai Nyunt Lwin. Special Branch (SB) officers arrested the SNLD leaders on February 9 as part of a crackdown against the ethnic Shan political movement (ref A and B). The GOB, accusing Shan political and cease-fire groups of conspiring with the outlawed Shan State Army-South to establish a consultative group to "enable Shan State to shape its own destiny," charged the SNLD leaders with "attempting to disturb the peace and tranquillity of the nation, breach of trust of the state, possession of unofficial/unlicensed documents, economic fraud, and dealing in foreign currency."

¶3. (SBU) According to NLD spokesperson U Lwin, the families of Hkun Htun Oo and Sai Nyunt Lwin requested legal advice from NLD lawyer U Aung Thein and the party in turn offered a team of four lawyers to handle the case. However, when the families visited Insein Prison with the NLD lawyers in late February, they were denied access to the Shan prisoners. Separate sources tell us that the GOB has appointed government lawyers to defend the Shan leaders.

¶4. (C) Family members have subsequently explored other avenues to access the prisoners, including a request to ICRC to help facilitate contact. At the March 15 press conference, the GOB claimed that the detainees had not officially asked the court for legal counsel and that the families had not followed proper procedure to request access. However, according to Embassy sources, on March 16 ICRC reportedly notified the families that they will have access to the detainees on March 18.

¶5. (SBU) SB investigators have regularly harassed and interrogated Hkun Htun Oo's family members since the February arrests, forcing them to produce ownership documents of houses, vehicles, and a beach resort hotel in Rakhine State. Authorities have permanently closed Hkun Htun Oo's Rangoon-based business, Overseas Courier Service, which he operated in partnership with a Japanese company.

¶6. (C) Comment: The GOB has lodged serious charges against Hkun Htun Oo and Sai Nyunt Lwin, and the treason provisions potentially carry the death penalty. All signs indicate that the GOB, paranoid that Hkun Htun Oo and his colleagues were conspiring to unify the fractious Shan political landscape, has every intention of blocking their ability to lead the pro-democracy ethnic movement. Hkun Htun Oo and Sai Nyunt Lwin may not see the outside of the SPDC's prison gulag for years to come. End Comment.

Martinez